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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,870	07/21/2006	Ulrich Meingast	R.307047	1551

2119 7590 11/15/2007  
RONALD E. GREIGG  
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ALEXANDRIA, VA 22314

EXAMINER
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TRAN, BINH Q

ART UNIT	PAPER NUMBER
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3748

MAIL DATE	DELIVERY MODE
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11/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/586,870

Applicant(s)

MEINGAST ET AL.

Examiner

BINH Q. TRAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/21/2006.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

Receipt and entry of Applicant's Preliminary Amendment dated July 21, 2006 is acknowledged.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

*Claims 13-32 are rejected under 35 U.S.C. 102 (b) as being anticipated by Hofmann et al. (Hofmann) (Patent Number 6,539,708).*

Regarding claims 13, 17, Hofmann discloses a method and apparatus for post-treatment of an exhaust gas from an internal combustion engine (2), in which a substance to be mixed with the exhaust gas is sprayed in metered quantities into an exhaust gas line (4) through which the exhaust gas flows, the improvement comprising providing an impact plate inside the engine exhaust line and spraying the substance onto the impact plate (28) (e.g. See col. 4, lines 21-67; col. 5, lines 1-37).

Regarding claims 14, Hofmann discloses wherein the substance is sprayed through a spray nozzle (12) into the exhaust gas line and onto the impact plate disposed in the spraying direction of the spray nozzle (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 15-16, Hofmann discloses wherein the exhaust gas is made turbulent downstream of the impact plate in terms of the flow direction (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 18, Hofmann discloses wherein the impact plate has a low thermal capacity (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 19-20, Hofmann discloses wherein the impact plate communicates with the exhaust gas line through at least one connecting element having a low thermal conductivity (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 21-23, Hofmann discloses wherein the impact plate has an impact face which is diametrically opposite a spray nozzle of the device (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 24, Hofmann discloses wherein the impact plate, at least in the region of the impact face, comprises a coating that increases the area of the surface (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 25-26, Hofmann discloses further comprising a static mixer disposed downstream of the impact face (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 27, Hofmann discloses wherein the mixer is embodied integrally with the impact plate that is produced as a stamped and bent part (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 28-31, Hofmann discloses wherein the impact plate is tubular (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

Regarding claims 32, Hofmann discloses a spray nozzle oriented at an acute angle to the flow direction, the spray nozzle spraying the substance through a beveled face end of the impact plate onto an impact face diametrically opposite the spray nozzle (e.g. See Fig. 2; col. 5, lines 36-67; col. 6, lines 1-43).

#### ***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and consists of six patents:

Hilden et al. (Pat. No. 7021047), Liu et al. (Pat. No. 6449947), Verdegan et al. (Pat. No. 6601385), Kolodzie et al. (Pat. No. 4955183), Funk et al. (Pat. No. 7065958), and Goerlich (Pat. No. 5038562) all disclose an exhaust gas purification for use with an internal combustion engine.

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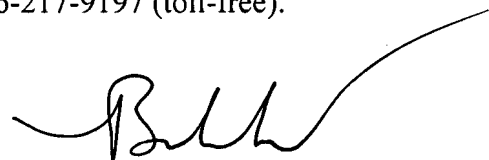
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Binh Tran whose telephone number is (571) 272-4865. The examiner can normally be reached on Monday-Friday from 8:00 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion, can be reach on (571) 272-4859. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BT  
November 12, 2007



Binh Q. Tran  
Patent Examiner  
Art Unit 3748